

Testimony of Austin Longendyke
In Support of HB 6641 An Act Concerning the Sexual Assault of Persons Whose Ability to
Communicate Lack of Consent is Substantially Impaired

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My name is Austin Longendyke and I am testifying in support of HB 6641, *An Act Concerning the Sexual Assault of Persons Whose Ability to Communicate Lack of Consent is Substantially Impaired*. I am a senior at the University of Connecticut, double-majoring in American Studies and Women's, Gender, and Sexuality Studies, and a resident of Norwich, Connecticut. Through both my personal relationships with survivors of sexual assault and my work as a peer educator in UConn's Violence Against Women Prevention Program, I have learned just how prevalent sexual assault is both within the university community and the state at-large. It is up to the state legislature to ensure that laws holding sexual offenders accountable for their crimes protect *all* Connecticut residents; giving a more specific definition of "physical helplessness" would serve to protect some of the state's most vulnerable populations from assault.

The current language within the Connecticut law concerning sexual assault is problematic for a variety of reasons. For one thing, the term "mentally defective" within the law is both outdated and offensive, and does not belong in any contemporary law. HB 6641's call for the removal of this term would be a step in the right direction toward a more inclusive Connecticut. Also, the current vague wording concerning "physical helplessness" has been found by the Connecticut Supreme Court to only pertain to people who are "unconscious or in a state akin to unconsciousness."¹ Consequently, the current wording has allowed at least two sexual assault perpetrators free because their victims, though not necessarily able to walk and/or speak, did not meet the criteria set by the court in *Fourtin*. The clarification of the term "physically helpless" that HB 6641 would call for would protect not only those who are unconscious, but also those who may be conscious but physically unable to resist assault or communicate a lack of consent. The bill would close any loophole that an assailant might use to escape punishment for their crime.

I urge all legislators to support HB 6641 because it serves to protect some of the most vulnerable populations in the state from sexual assault. While it is the duty of the state to protect its citizens, many Connecticut residents are not adequately protected under the current Connecticut laws concerning sexual assault. This bill would serve to not only enable a safer Connecticut for all of its residents, but also remove outdated and offensive language from the law books.

Thank you very much for your attention on this matter,

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¹ *State of Connecticut v. Richard Fourtin* (2012)